

**ORIGINAL**

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>Le A 36 086</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP03/05694</b>	INTERNATIONAL FILING DATE <b>30 May 2003 (30/05/03)</b>	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>Not Assigned</b>
PRIORITY DATE CLAIMED <b>13 June 2002 (13/06/02)</b>		
TITLE OF INVENTION <b>Treatment of Serious Infections and Septic Shock</b>		
APPLICANT(S) FOR DO/EO/US <b>Christoph LADEL, et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: <b>1. Certificate of Mailing under 37 C.F.R. 1.10; and 2. Return Receipt Postcard</b></p>		

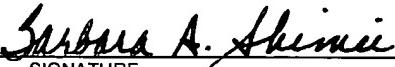
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PTO-1390 (Rev. 12-2004)

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER							
Not Assigned <b>10/518943</b>		PCT/EP03/05694		Le A 36 086							
21. The following fees are submitted:											
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee..... \$200.00 <input checked="" type="checkbox"/> c) Search fee..... \$500.00											
<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>											
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.											
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE							
- 100 =	/50 =			x \$250.00	\$						
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).											
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE							
Total claims		<b>10</b>	- 20 = <b>0</b>	x \$50.00	\$						
Independent claims		<b>4</b>	- 3 = <b>1</b>	x \$200.00	\$ <b>200.00</b>						
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		<b>0</b>		+ \$360.00	\$						
<b>TOTAL OF ABOVE CALCULATIONS = \$ 1200.00</b>											
<b>Submission of Information Disclosure Statement</b>											
<b>SUBTOTAL = \$ 1380.00</b>											
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).											
<b>TOTAL NATIONAL FEE = \$ 1380.00</b>											
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property											
<b>TOTAL FEES ENCLOSED = \$ 1380.00</b>											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Amount to be refunded:</td> <td style="width: 50%;">\$</td> </tr> <tr> <td colspan="2">Amount to be charged:</td> </tr> <tr> <td colspan="2">\$ <b>1380.00</b></td> </tr> </table>						Amount to be refunded:	\$	Amount to be charged:		\$ <b>1380.00</b>	
Amount to be refunded:	\$										
Amount to be charged:											
\$ <b>1380.00</b>											
a. <input type="checkbox"/>	A check in the amount of \$ _____ to cover the above fees is enclosed.										
b. <input checked="" type="checkbox"/>	Please charge my Deposit Account No. <u>13-3372</u> in the amount of \$ <u>1380.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.										
c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-3372</u> . A duplicate copy of this sheet is enclosed.										
d. <input type="checkbox"/>	Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.										
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.											
SEND ALL CORRESPONDENCE TO: <b>Customer No. 35969</b>											
<b>Jeffrey M. Greenman</b> <b>Bayer Pharmaceuticals Corporation</b> <b>400 Morgan Lane</b> <b>West Haven, CT 06516</b>											
 SIGNATURE <b>Barbara A. Shimek</b> NAME <b>29,862</b> REGISTRATION NUMBER											

10/518943

DT05 Reg'd PCT/PTO 13 DEC 2004

Attorney's Docket No. Le A 36 086

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ladel, et al.

Serial No.: [to be assigned] National Stage Filing of PCT/EP03/05694

Filed: herewith

For: Treatment of Serious Infections and Septic Shock

MAIL STOP PCT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the *attached* correspondence comprising:

- Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing under 35 U.S.C. 371 [IN DUPLICATE];
- Application Data Sheet under 37 C.F.R. 1.76;
- Preliminary Amendment;
- Original oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4));
- English Translation of the Application (35 U.S.C. 371(c)(2));
- Copy of the International Application as filed (35 U.S.C. 371(c)(2));
- Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98 consisting of Transmittal of Information Disclosure Statement under 37 C.F.R. 1.97(b), Information Disclosure Citation (Modified Form PTO-1449) and copies of references cited therein;
- Return Receipt Post Card;
- Other:

is, on the date shown below, being deposited with the United States Postal Service, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EO906351645US addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

13 December 2004  
Date

*Mariellen Chapdelaine*  
Signature of Person Certifying / Mariellen Chapdelaine